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January 12, 2023

VIA ECF

Hon. District Judge Jennifer L. Rochon
US District Court – SDNY
500 Pearl Street
New York, NY 10007

RE: *Duka v. Alliance Tri-State Construction, Inc., et al.*
Case No. 20-cv-6648-JLR

REQUEST FOR ADJOURNMENT

To Your Honor:

This office represents Plaintiff's in the above matter. The parties are scheduled to appear, through counsel, for a post discovery conference at 11:00am in person before the Court. I write to request a short adjournment of the conference.

I apologize for the last-minute request, however an appearance in Kings County Supreme Court on a matrimonial matter at 9:30am. This appearance is in person as well. However, in looking at the part's calendar this morning, it came to my attention that, unlike a typical virtual appearance, the Court has moved back to a general calendar call with litigants and counsel required to appear in mass at 9:30am.

It is with an abundance of caution that I make this application, based upon my experience at general calendar calls in this and similar Supreme Court parts. I cannot with any certainty at all say whether my appearance in the Supreme Court will conclude with enough time for me to appear before your Honor. As appearances in the Supreme Court parts, particularly in matrimonial practice where the litigants are required to appear and certain interim orders entered into, have historically been unpredictably long. In this matter, there will be the need for a court translator, which may further lengthen the overall time of the conference.

I would not want to put the Court or Plaintiff's counsel in a position for holding up business in the event this appearance prevents me from timely appearing before your Honor.

After reviewing the Court's calendar this morning, I emailed Plaintiff's counsel indicating my concerns and called his office in the hopes he may have arrive there early. It



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being before business hours, I was not able to reach him to get his consent to this application. This letter will be emailed to him contemporaneously with the filing of this application.

As I have been the lead attorney on this matter and considering the complexity and volume of discovery in this case, there is no other attorney in my office that can appear for the Court's conference on such short notice.

Thank you in advance for your time and consideration to my application,

Best regards,

Kevin S. Johnson

Kevin S. Johnson, Esq.

CC via Email & ECF
William Brown, Esq.
wbrown@bkllawyers.com

Request **GRANTED**. The post-discovery conference is hereby adjourned to **January 13, 2023 at 2 p.m.** in Courtroom 20B of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, 10007.

Dated: January 12, 2023
New York, New York

SO ORDERED

Jennifer L. Rochon

JENNIFER L. ROCHON
United States District Judge